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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/643,541 | 08/19/2003 | Joseph Farino | LIT-020 CIP | 4269 |

7590 05/24/2004

Herten, Burstein, Sheridan, Cevalco,
Bottinelli & Litt, L.L.C.
Court Plaza North
25 Main Street
Hackensack, NJ 07601

EXAMINER

COLETTA, LORI L

| | |
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| ART UNIT | PAPER NUMBER |
|----------|--------------|

3612

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

10/643,541

Examiner

Lori L. Coletta

Applicant(s)

FARINO, JOSEPH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview on 4 March 2004.
2. ☒ The allowed claim(s) is/are 1-5, 9-15 and 19-29.
3. ☒ The drawings filed on 19 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Lori L. Coletta
Lori L. Coletta 5/18/2004
Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

1. A theft prevention device for vehicles employing a powered seat system to automatically control the position of a vehicle seat movably situated on parallel guide rails to enable the seat to move forwardly or rearwardly, wherein the vehicle seat includes a seat member and a lumbar support member, ~~which move independent of one another,~~ which move relative to one another, the theft prevention device comprising:

a security module integrated with the powered seat system, the security module being programmed to instruct the powered seat system to move the vehicle seat between an original position and a forward security position with the seat member and lumbar support member moved forward to prevent a thief from accessing a the passenger compartment of the vehicle; and

a gearing mechanism linking the seat member and the lumbar support member for controlled forward movement of the seat member and the lumbar support member to ~~a fully forward position~~ the forward security position flush with a forward most position within a the passenger compartment of the vehicle, wherein the gearing mechanism includes a lumbar gear with teeth over an arc distance sufficient to facilitate full forward rotation of the lumbar support

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member to the forward security position flush with the forward most position within the passenger compartment of the vehicle;

wherein selective actuation of the security module causes the security module to instruct the powered seat system to move the seat member forward along the guide rails and rotate the lumbar support member fully forward from its original position to a the forward security position flush with the forward most position within a the passenger compartment of the vehicle and causes the security module to instruct the powered seat system to move the seat member and lumbar support member back to their original positions.

9. A vehicle provided with a theft prevention device comprising

a powered seat system to automatically control the position of a vehicle seat movably situated on parallel guide rails to enable the seat to move forwardly or rearwardly, wherein the vehicle seat includes a seat member and a lumbar support member, ~~which moves independently of one another~~ which move relative to one another, the theft prevention device comprising:

a security module integrated with the powered seat system, the security module being programmed to instruct the powered seat system to move the vehicle seat between an original position and a forward security position with the seat member and the lumbar support member moved forward to prevent a thief from accessing a ~~the~~ passenger compartment of the vehicle; and

a gearing mechanism linking the seat member and the lumbar support member for controlled forward movement of the seat member and the lumbar support member to a ~~fully forward position~~ the forward security position flush a forward most position within a the passenger compartment of the vehicle, wherein the gearing mechanism includes a lumbar gear

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with teeth over an arc distance sufficient to facilitate full forward rotation of the lumbar support member to the forward security position flush with the forward most position within the passenger compartment of the vehicle;

wherein selective actuation of the security module causes the security module to instruct the powered seat system to move the seat member forward along the guide rails and rotates the lumbar support member fully forward from its original position to a the security position flush with the forward most position within a the passenger compartment of the vehicle and causes the security module to instruct the powered seat system to move the seat member and lumbar support member back to their original positions.

24. A vehicle provided with a theft prevent device comprising:

a powered seat system to automatically control the position of a vehicle seat movably situated on parallel guide rails to enable the seat to move forwardly or rearwardly, when the vehicle seat includes a seat member and a lumbar support member, ~~which move independent of one another~~ which move relative to one another, the theft prevention device comprising:

a security module integrated with the powered seat system, the security module being programmed to instruct the powered seat system to move the vehicle seat between an original position and a forward security position with the seat member and lumbar support member moved forward to prevent a thief from accessing the a passenger compartment of the vehicle; and

a gearing mechanism linking the seat member and lumbar support member for controlled forward movement of the seat member and the lumbar support member to the forward security position flush with a forward most position within the passenger compartment of the vehicle,

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wherein the gearing mechanism includes a lumbar gear with teeth over an arc distance sufficient to facilitate full forward rotation of the lumbar support member to the forward security position flush with the forward most position with the passenger compartment of the vehicle;

a trigger switch linked to the security module for sending a trigger event signal instructing the security module when an individual leaves the vehicle or when an individual returns to the vehicle; the trigger switch sending a first trigger event signal to the security module when an the individual leaves the vehicle and a second trigger event signal when the individual returns to the vehicle;

wherein initiation of the first trigger signal causes the security module to instruct the powered seat system to move the seat member forward along the guide rails and rotate the lumbar support member forward from its original position to a the forward security position, and initiation of the second trigger event signal causes the security module to instruct the powered seat system to move the seat member and lumbar support member back to their original positions; and

the security module further including a power switch connected to a vehicle electric power system for selectively connecting or disconnecting power from the vehicle electric power system circuit, whereby, when the seat member and lumbar support member are in the forward security position, the power switch is disconnected from the vehicle electric power system circuit thereby preventing a the thief from activating the power switch during a break in of the vehicle.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614.

The examiner can normally be reached on Monday-Friday 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lori L. Coletta
Examiner
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Lori L. Coletta
May 18, 2004